

Heritage Impact Assessment

Proposed Sports Centre, Queen's Park Annexe,
Chesterfield, Derbyshire



on behalf of

Chesterfield Borough Council

November 2013

GLA-138

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For greater clarity, the Appendices are reproduced separately at A3

1.0 Introduction

- 1.1 This document constitutes a Heritage Impact Assessment. It has been researched and prepared on behalf of Chesterfield Borough Council by Roy M Lewis BA (Hons), MA (Arch Cons), MRTPI, IHBC and reviewed by Philip Grover BA (Hons), BTP, Dip Arch. Cons., MRTPI, IHBC, of Grover Lewis Associates Limited.
- 1.2 The Heritage Impact Assessment relates to the proposed construction of a sports centre to be located on the Queen's Park Annexe, Boythorpe Road, Chesterfield. The proposed development has been designed by London-based architects Design Cubed Ltd on behalf of Chesterfield Borough Council. The proposals are the subject of a current application for planning permission, reference CHE/13/00635/FUL.
- 1.3 Correspondence from English Heritage (letters of the 10 October and 11 November) has stressed the need for an adequate understanding of the significance of the heritage assets potentially affected by the proposal and an assessment by appropriately qualified and experienced heritage specialist of the likely impact of the proposal on those assets. English Heritage has a particular concern for the impact on Queen's Park as a grade II* registered historic park and garden.
- 1.4 This Heritage Impact Assessment describes and summarises the significance of the heritage assets affected by the proposed development and sets out the national and local heritage policies, statutory duties, and guidance material, against which the proposals should be judged. Against this background, the conclusions assess the impact of the proposal on the significance of the heritage assets in question and the statutory duties relating to listed buildings and conservation areas.
- 1.5 The assessment responds to the requirements of paragraphs 128 and 129 of the National Planning Policy Framework (NPPF), which require that applicants for planning permission should describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting, and that local planning authorities should take account of available evidence and any necessary expertise when considering the impact of a proposal on heritage assets.
- 1.6 The assessment is limited to consideration of the heritage impact of the proposal and does not consider wider issues, such as impacts on leisure facilities or the cost implications of the proposal.

2.0 The proposals

- 2.1 The proposed purpose built public sports facility is located on an existing disused running track on the Queen's Park Annexe, positioned centrally within the circuit on a north-south axis (see Plates 1 and 2). The proposal is illustrated in detail in the application plans submitted by Design Cubed Ltd.
- 2.2 The proposed building has been designed to minimise the impact of the new leisure centre on existing habitats and the visual amenity of Queen's Park and local residents. The new building is located on a level portion of the site on the location of an existing sports pitch and is placed to avoid a historical mine shaft. The building massing is orientated so that the entrance façade faces west overlooking the proposed car park and drop-off, the new vehicular entrance from Boythorpe Road, and pedestrian and cycle access routes. The pool hall is located along the northern facade to avoid issues of solar glare, whilst allowing views over a proposed wild-flower meadow and mature trees on the embankment above Boythorpe Avenue.
- 2.3 The proposed swimming pool and a café on the north side are housed in a lower level form, with a sports hall to the south in a larger volume block. These two principal forms are separated by a two-storey spine block of intermediate height, which accommodates changing facilities, storage, utility, and studio space. A two-storey linear block, which houses training rooms, a gym/fitness suite, squash courts and dry-changing rooms, runs along the west side of the sports hall. The entrance/reception is in a single-storey block aligned with the central east-west spine, located midway along the principal west facade of the building. The west face contains a high degree of full-height glazing. The north façade features a glazed colonnade. In contrast, the south and east sides of the proposed building are predominantly solid.
- 2.4 The proposed primary external walling material is black/blue brickwork, with white glazed brick accents. The larger volume sports hall block is proposed to be clad in polyester powder-coated metallic silver aluminium composite panels, with a micro-rib profile. Windows and doors are proposed to be set in black-grey powder-coated aluminium frames.
- 2.5 The site is proposed to be accessed by a new vehicular access positioned a short distance to the south of the existing access to Boythorpe Road. The proposed access leads into a parking area, which occupies most of the space between the proposed building and Boythorpe Road. An access track is proposed to provide access to the east side of the building, via the south side.



Plate 1: The site of the proposed Sports Centre, from the existing access to Boythorpe Road



Plate 2: The site of the proposed Sports Centre, from higher ground to the south-east

3.0 Heritage assets

General

- 3.1 The proposed development has the potential to cause direct harm to heritage assets by physical alteration and indirect harm by presence in the setting of a heritage asset. A preliminary analysis has been carried out to identify heritage assets beyond the application site that may be affected, on grounds of intervisibility or historical association. Correspondence from English Heritage (letters of the 10 October and 11 November) identify the principal heritage asset potentially affected to be Queen's Park, together with the listed buildings within it, and the setting of the park.
- 3.2 The heritage assets that are potentially affected by the proposal are:
- Queen's Park (grade II* registered historic park and garden and designated conservation area)
 - Gates, piers and railings at entrance to Queen's Park (grade II listed building)
 - Bandstand at Queen's Park (grade II listed building)
 - Chesterfield Town Hall (grade II listed building)
 - War Memorial and Steps in front of Chesterfield Town Hall (grade II listed building)
 - Chesterfield Courthouse (grade II listed building)
 - Chesterfield Town Centre Conservation Area

Queen's Park

- 3.3 Queen's Park was established in the 1890s on open, undeveloped land that was immediately beyond the Chesterfield Borough boundary, to the south-west of the town. The land was acquired by public subscription to celebrate Queen Victoria's golden jubilee in 1987. The park was designed by William Barron and Son and was laid out at the expense of the Town Council. Whilst the park was dedicated with a ceremony on 21 September 1887, its completion and opening to the public did not take place until 2 August 1893.
- 3.4 The 1881 Ordnance Survey shows that prior to the laying out of Queen's Park, the town retained its medieval form with narrow burgage plots running southwards and downhill from the market place towards the winding route of

the River Hipper (see Figure 1). The sinuous alignment of the Midland Railway Brompton Branch railway line, constructed earlier in the nineteenth-century to the immediate south of the River Hipper, defined the northern edge of the park and also formed an obstruction to access to the park from the town. The long-established, north-south aligned Boythorpe Road (then known as Boythorpe Lane) provided the western boundary. The eastern boundary, now Park Road was little more than a track giving access to outlying properties, and the southern boundary (now Boythorpe Avenue) was a field boundary with a footpath on the south side. The land sloped upwards from the River Hipper in the southerly direction. Whilst the surroundings in the 1880s were primarily open and rural, a substantial industrial area had developed to the north-west, beyond the river and the railway line.

- 3.5 The twenty-two acre site was acquired in two parcels. The Mayor of Chesterfield, Alderman TP Wood, who was the main promoter of the establishment of the park, donated £500 towards the cost of the first 17 acre parcel. Alderman Wood also funded the original timber bandstand, which stood near the lake. Purchase of the additional five acre parcel in 1890 was funded by a Ladies Bazaar Committee. In the same year, a brick boundary wall approximately 2.5 metres high with an unusual rustic boulder coping, was constructed around the site. Much of this survives (see Plate 10).
- 3.6 William Barron's design effectively divided the site into three main compartments. A figure-of-eight footpath defined two main open areas, surrounded by perimeter tree belts. The eastern compartment was used as a cricket pitch with a cycle track around it. The western compartment provided amenity open space with some specimen individual trees. The third compartment on the lower north side accommodated a serpentine lake with four islands, surrounded by dense tree and shrub planting. A woodland footpath circumnavigated the lake and linked with the principal figure-of-eight path. The residual margin on the western side of the park was heavily planted and accommodated a rectangular-plan open playground within the trees.
- 3.7 The principal entrance was on the west side, from Boythorpe Road, with a second entrance on the east side from Park Road. The latter was constructed from New Square to the park in the 1890s. The western entrance was the grander of the two and was flanked by railings rather than the brick wall around the majority of the park (see Plates 8 and 9). The design of Queen's Park closely resembles the later plan produced by William Barron and Sons for Victoria Park, Tipton, West Midlands in 1898-1901, after William Barron's death.

- 3.8 The 1898 edition of the Ordnance Survey shows Queen's Park shortly after its opening (see Figure 2). Buildings that existed at this time were a bandstand (which was a square plan timber structure) on the northern edge of the western compartment, a pair of lodges adjacent to the northern and southern park boundaries which were designed in a mock-Tudor style, a cricket pavilion on the south side of the cricket field and two small greenhouses to the east of the southern lodge. County cricket was played at Queen's Park from 1898 and the pavilion was built that year. W.G. Grace played at the ground on two occasions in 1901 and 1904 for London County against Derbyshire.
- 3.9 The 1898 Ordnance Survey indicates substantial change to the area around Queen's Park. By that date, the meandering River Hipper had been straightened to run alongside the Brampton Branch railway and a further railway line, the Lancashire, Derbyshire and East Coast Railway, had been constructed on a substantial embankment, leading to a terminus at Market Place Station. An associated extensive marshalling yard had been developed to the west, with an elongated train shed positioned a short distance to the north of the park's North Lodge. A bridge took the new railway over Park Road, which had been constructed as far as the southern edge of Queen's Park by 1898 and a rather mean row of terraced houses had been constructed on the east side, directly abutting the road. A small colliery (New Riber Colliery) had been sunk to the immediate south-west of Queen's Park. The terraced housing on Park Road survives but the colliery was subsequently redeveloped as a barracks.
- 3.10 In 1901, a further 13 acres of open land to the immediate south of Queen's Park was acquired by the town as a memorial to Queen Victoria, who had died that year. Alderman Wood was again a prime mover behind the acquisition. This additional recreation ground area, shown as four fields on the earlier Ordnance Survey plans, became known as the Queen's Park Annexe. Concerns were raised about the cost of laying out the Annexe but a bowling green was opened in 1925 and tennis courts were also constructed. Putting greens were added in 1933.
- 3.11 By the date of the 1918 Ordnance Survey, little change had taken place to Queen's Park (see Figure 3). To the south-east, Park Road had been continued southwards, with better quality housing along the east side and the sloping Queen's Park Annexe had been levelled and terraced. Perimeter planting with footpaths running through the belts, had been established along the west, south and east sides. Boythorpe Avenue, which currently runs east-west between Queen's Park and the Annexe had not been constructed by this date. The 1918 Ordnance Survey shows that a row of four pairs of semi-detached villas had been built on the west side of Boythorpe Road, facing towards the park, two pairs of which still exist.

- 3.12 A programme of improvements to Queen's Park was carried out in the 1920s. A new bandstand was erected on the higher part of the western open amenity area in the summer of 1922 to replace the original wooden bandstand that had stood near the lake until 1919. Boythorpe Avenue was constructed adjacent to the southern boundary of the park, with a new formal south entrance a short distance to the west of the South Lodge in 1925-6. A conservatory was added in 1930, a short distance to the east of the South Lodge, near the pair of original greenhouses. The bandstand, south gateway, and conservatory are discussed and illustrated below. In the post-First World War period, Chesterfield Town Council had proposals to develop a sports centre in Queen's Park Annexe, including a football stadium to accommodate 37,000 spectators, but the plans were abandoned in 1920.
- 3.13 Dramatic change took place on the rising land to the north of Queen's Park in the 1930s. A substantial swathe of the housing area to the west of the town centre was comprehensively cleared to make way for a monumental Classically designed Town Hall which was completed in 1938 (see fuller description below). At the same time, the steeply sloping land to the south of the Town Hall, henceforth known as Shentall Gardens, was landscaped in a formal manner with a grand axial processional route, aligned with the portico of the Classical façade of the Town Hall, and into which a war memorial was integrated. Since its construction, the monumental scale, formality, and elevated position of the Town Hall has given it a commanding presence over Queen's Park.
- 3.14 During the Second World War, the Queen's Park Annexe was used by the army, who constructed 40-50 Nissen huts for accommodation. After the army vacated the Annexe in 1946, the huts were used by the Council's Housing Committee to provide temporary dwellings.
- 3.15 Further change took place in the 1960s, both within the park and to its setting. The most notable change within the park, was the construction of an indoor swimming pool in 1967 on the western side adjacent to Boythorpe Road, on the site of the children's playground. This rectangular brick structure was the first large scale building to be accommodated within the park. It did not integrate harmoniously into the park environment, where there was an absence of large-scale structures.
- 3.16 The former Lancashire, Derbyshire & East Coast railway line closed in 1957. In the early 1960s, the railway line, sidings and Market Street Station to the north of Queen's Park were cleared away and, in 1963, the site was comprehensively redeveloped to provide the General Post Office Accountant General's Department national offices. The development comprised a group

of modern multi-storey, flat roofed forms, including a tower block known as Chetwynd House, which was highly prominent and intrusive in views from the park. At the same time, Markham Road was extended westwards as the A619 dual carriageway, to provide a major westwards traffic route. The integrated development saw the grand axial pedestrian route from the Town Hall extended through the Attorney General's Department group, and over the new dual-carriageway on a slender concrete footbridge and into the park, alongside the North Lodge. The footbridge was opened in 1963 and created a new and dramatic entrance into Queen's Park, and a formal link between the Town Hall and the park (see Plate 11).

- 3.17 In the 1960s, the Brampton Branch railway line adjacent to the northern boundary of the park, was removed together with its embankment and the route was converted into a cycle track and footpath, which is now separated from the park by modern metal railings. By contrast, a miniature railway circuit was integrated into the park around the lake in 1976.
- 3.18 By the time of the 1962 Ordnance Survey, the running track on Queen's Park Annexe had been constructed, together with the associated changing rooms (see Figure 4). A further change to the wider setting of Queen's Park in 1964-5 was the construction of a stylish, modern Magistrates' Court building on the higher slopes just to the south-west of the Town Hall (see fuller description below). This reinforced the civic character of the uphill area to the north of the park.
- 3.19 In the late 1980s, the swimming pool building was doubled in size to provide indoor dry sports facilities. As part of the scheme, the 1960s building was cloaked with a Paxtonesque glazed structure on the side facing the park. Car parking areas were provided to the north and south of the sports centre, which left the original western gateway redundant and divorced from the park. The parking area to the south was enclosed with a brick wall. The integration of the substantial extension and car parking area necessitated a realignment of a section of the original figure-of-eight footpath, distorting its elegant curve.
- 3.20 More recent change has seen the demolition of the Attorney General's Department group of buildings and its redevelopment with a replacement Post Office building known as Future Walk. The formal route from the Town Hall to Queen's Park has been maintained and the intrusive tower block has been demolished. However, the bulk of the Future Walk building intrudes into views of the Town Hall from Queen's Park and views towards the park from the Town Hall. North Lodge has been insensitively extended to provide a large café and toilet facility, and has lost its character as a freestanding lodge as a consequence (see Plate 7). An enclosed all-weather pitch has been

constructed in the south-west corner of the park on the site of mid twentieth-century tennis courts. An additional access to Boythorpe Avenue, near to the cricket pavilion, was constructed in 2004.

- 3.21 Relatively recent change has also taken place to the west of Queen's Park. Two of the four pairs of early twentieth-century semi-detached villas on Boythorpe Road no longer exist and a substantial Royal Mail complex has been developed, set back from the road.
- 3.22 The essential structure of the original design of the park has survived, with the exception of the western margin, where the Sports Centre has been built. Queen's Park has been designated a conservation area by Chesterfield Borough Council. Figure 5 shows the designated area. In November 2000, English Heritage designated Queen's Park as a grade II Registered Historic Park and Garden. In August 2013, English Heritage upgraded the designation to grade II*. The designated area is indicated on Figure 6.

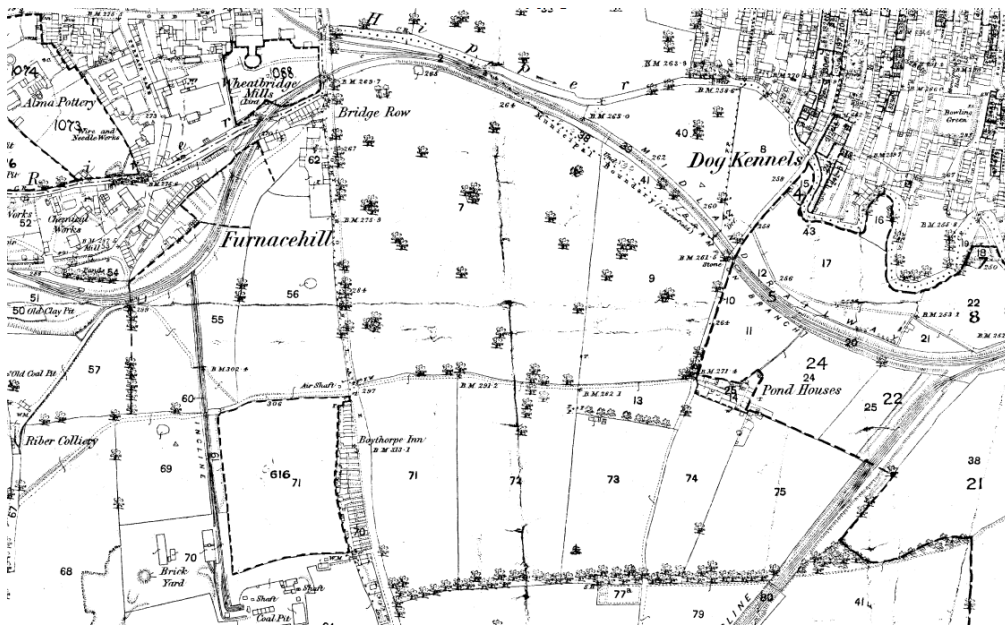


Figure 1: Ordnance Survey, 1881 (original scale: 1:2,500)

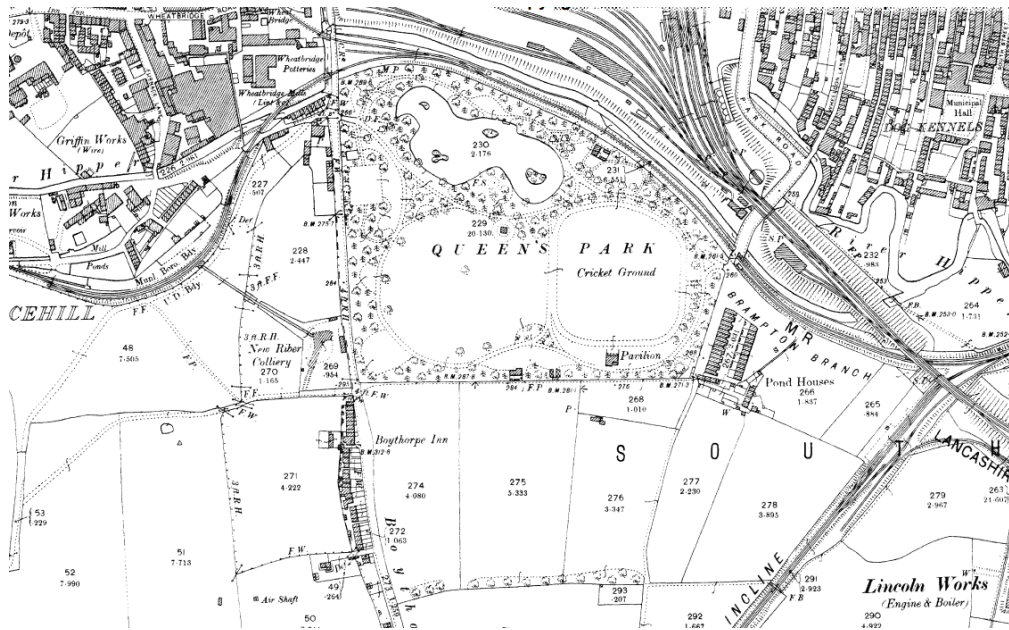


Figure 2: Ordnance Survey, 1898 (original scale: 1:2,500)

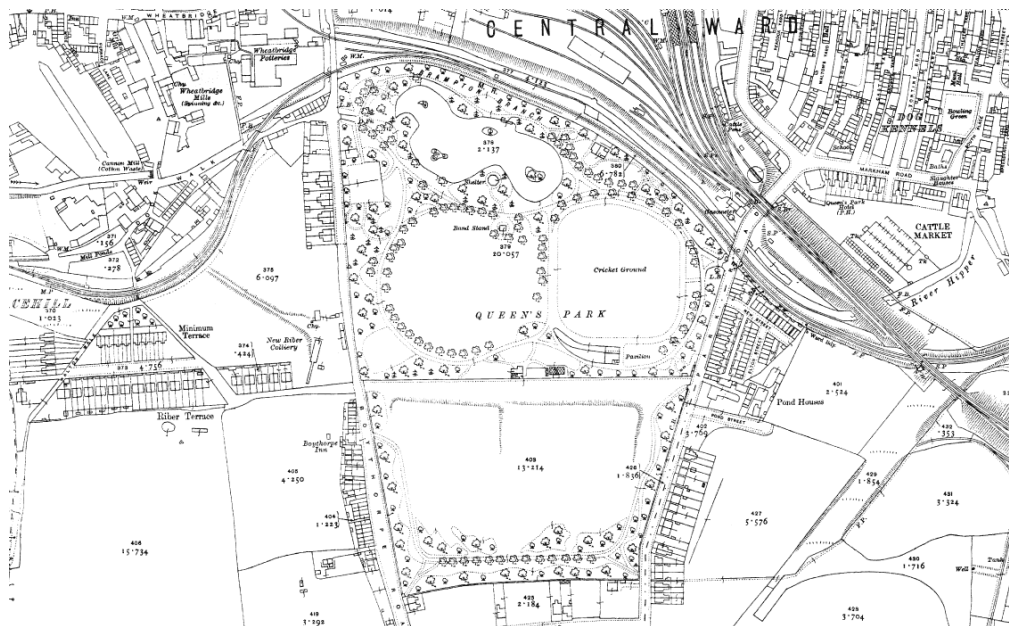


Figure 3: Ordnance Survey, 1918 (original scale: 1:2,500)

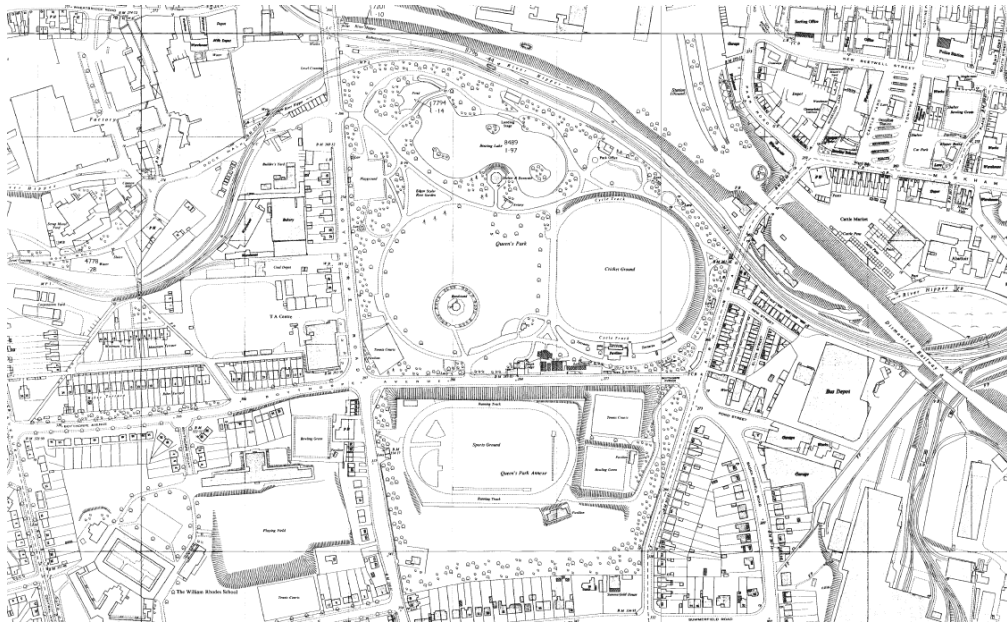


Figure 4: Ordnance Survey, 1962 (original scale: 1:2,500)

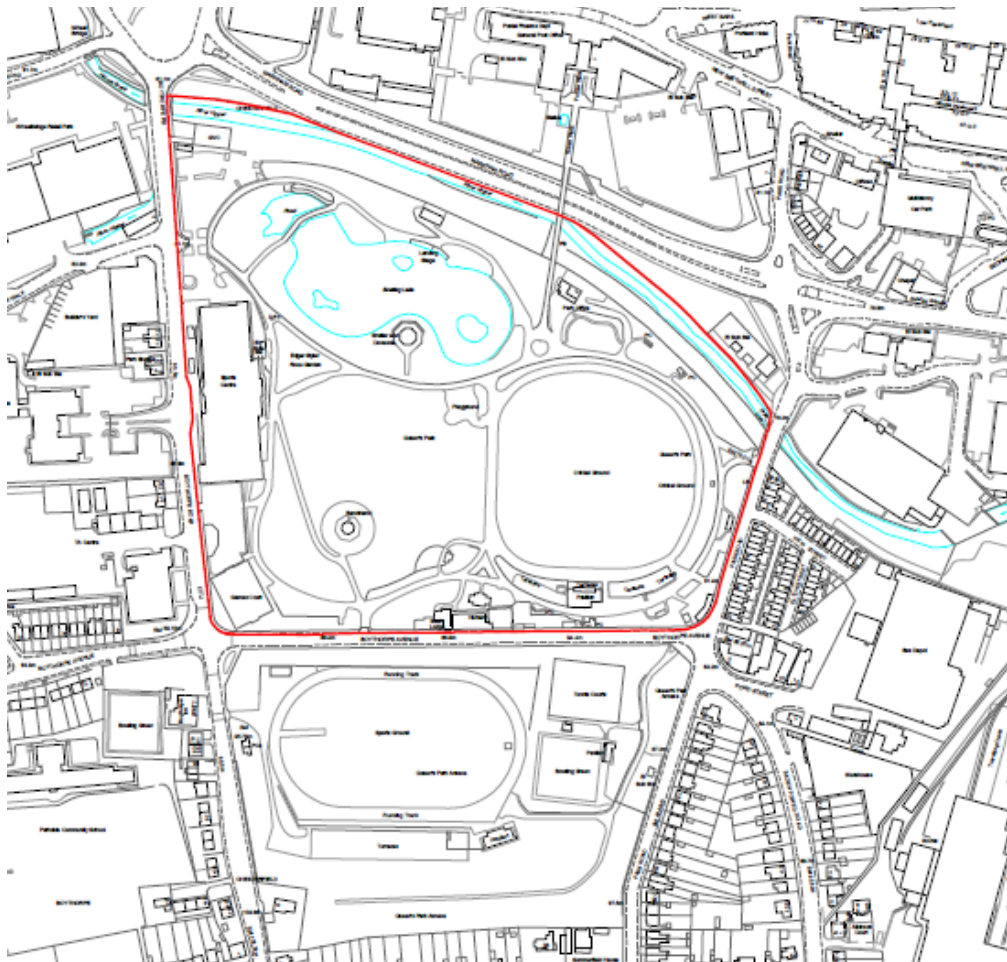


Figure 5: Queen's Park Conservation Area boundary

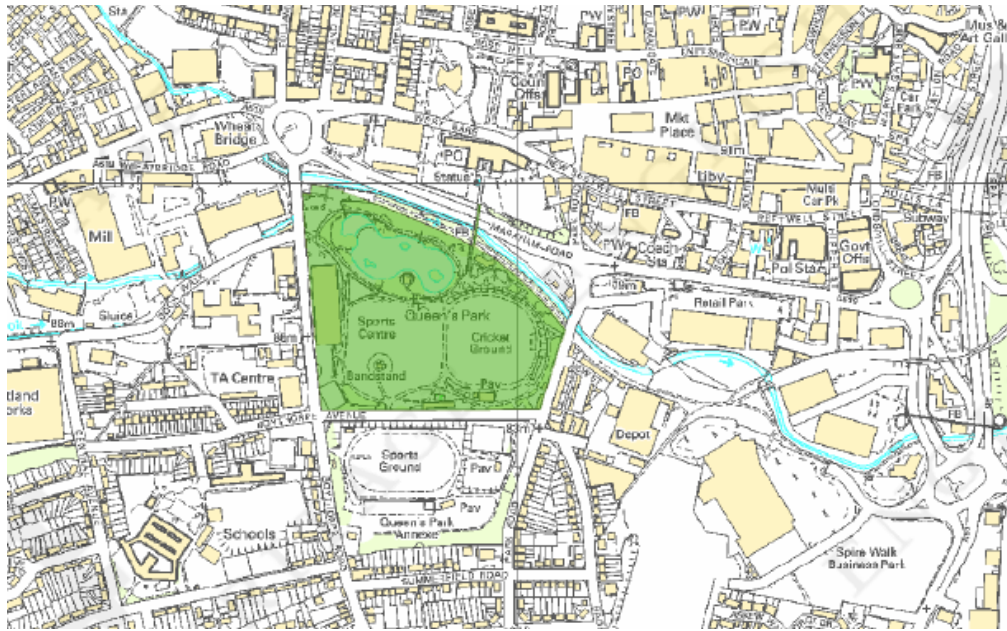


Figure 6: Queen's Park Registered Historic Park and Garden boundary



Plate 3: View towards the crooked spire and the Market Hall tower, across the open amenity area



Plate 4: View over the open amenity area towards the bandstand in the direction of the proposed development



Plate 5: View of the cricket pitch towards the pavilion



Plate 6: The South Lodge



Plate 7: The North Lodge, with its large extension



Plate 8: The west entrance from Boythorpe Road



Plate 9: The east entrance from Park Road



Plate 10: The park boundary wall, which prohibits views into the park



Plate 11: The footbridge entrance constructed in 1963, linking the park with the Town Hall

Gates, piers and railings at entrance to Queen's Park

- 3.23 The gateway is a convex quadrant-plan arrangement set into the southern park boundary wall, midway along the north side of Boythorpe Avenue. A pair of ornamental wrought iron gates supported by tall cast iron piers provide vehicular access, whilst a separate wrought iron gate to the right with its own cast iron pier, gives pedestrian access. The gates are surmounted by decorative scrollwork. The panelled piers incorporate plinths, square moulded caps and ball finials. The larger pair of gates have centre medallions featuring the arms of Chesterfield. To either side, quadrant railings with spear head finials, and incorporating dog bars, are set above a low brick dwarf wall with a solid square stone coping.
- 3.24 The gateway is listed grade II. The list description describes the railings as late nineteenth century. However, Boythorpe Road was not constructed until 1925-6 and the new entrance to Queen's Park was clearly formed at the same time.
- 3.25 The gateway is an attractive park feature in good condition, which is only really appreciated from close quarters. It provides inviting glimpse views into the park, in which the bandstand is prominent, and beyond towards the Town Hall on the skyline. It is a less prominent feature in views from within the park, being subsumed into the substantial belt of trees along the southern edge in views in a southerly direction.



Plate 12: Gates, piers and railings, Boythorpe Avenue

Bandstand at Queen's Park

- 3.26 The octagonal bandstand features a slate-covered, pagoda-style or ogee profile two-stage roof surmounted by a slender finial. The roof is supported on eight slender cast iron columns, which have with low relief, foliate mouldings on the shafts and composite capitals, from which spring iron braces supporting an open iron roof frieze. The iron structure stands on an octagonal rusticated stone plinth, with an ashlar coping. A cast iron balustrade runs between the columns above the plinth, with the exception of a stepped entrance bay. A glass draught screen that ran on a track around the inside of the stand has been removed.
- 3.27 The bandstand is listed grade II. The list description describes the structure as late nineteenth century and it certainly has the appearance of a bandstand from that period. However, it was not installed into the park until 1922. It may have been acquired from elsewhere.
- 3.28 The bandstand is positioned on higher ground towards the south of the park, within a hard-surfaced circular area. It is an attractive and important park feature in good condition, which forms the focus of southerly views from the western part of the park.



Plate 13: The bandstand

Conservatory at Queen's Park

- 3.29 The glass and timber-frame, cruciform plan conservatory stands close to the southern edge of the park. The building has a well-balanced composition, based on a square-plan central form with a pyramidal roof surmounted by a glazed, domed cupola. A short, narrower gabled entrance block projects forward giving access through double doors on the central axis. Recessed hipped wings project to either side. The roof is accented with ball finials and a delicate dentil cornice is carried around the building. Wall glazing is in two rows of relatively large panes, divided into panels of six with a single, horizontal glazing bar. The timber and glass structure is set on a red brick plinth. The interior incorporates decorative cast iron brackets.
- 3.30 The conservatory is listed grade II. The list description describes the structure as late nineteenth century. However, it was not installed into the park until 1930. The conservatory is positioned on higher ground near the southern edge of the park. Unusually, the conservatory is positioned in the lea of a substantial tree belt on a bank rather than in a position that takes full advantage of the sun. However, in this position it forms a focal point at the head of the north-south central footpath. It is an attractive and important park feature that was undergoing extensive repairs at the time of the survey. An ill-proportioned and bland modern single-storey brick building that has been built to the immediate south-east, intrudes into and detracts from the setting of the conservatory.



Plate 14: The conservatory

Chesterfield Town Hall

- 3.31 Chesterfield Town Hall was built in 1933-8 to the design of A J Hope of Bradshaw Gass and Hope of Bolton. The monumentality of the wide-fronted Classical design, which was heavily influenced by the Stormont Parliament Building in Belfast completed in 1932, is emphasised by its elevated siting and the associated processional route on its main axis that runs down through the Shentall Gardens towards Queen's Park. The three-storey plus attic storey building has an ashlar basement and ground floor and red/orange brick upper floors. A central sexastyle Portland stone portico with giant Corinthian columns supporting a broad pediment provides a principal external feature on the primary axis.
- 3.32 The building has a strong presence when seen from Queen's Park, which is reinforced by the direct axial pedestrian route from it to the park. The building is listed grade II.



Plate 15: Chesterfield Town Hall with the war memorial and steps in front

War Memorial and steps in front of Chesterfield Town Hall

- 3.33 The war memorial and steps were designed by AJ Hope of Bradshaw Gass and Hope as an integral part of the Town Hall scheme, although the memorial itself was not unveiled until 1954. The memorial is in the form of a Portland stone chest tomb. Steps rise to a semi-circular fronted terrace with a balustrade. A raised platform to the rear (south) has a semi-circular back wall.
- 3.34 The formality of the relationship to the Town Hall is emphasised by the straight axial pathway that rises through the Shentall Gardens, providing a grand and highly formal approach to both the memorial and the Town Hall. The memorial and steps are listed, grade II.



Plate 16: Chesterfield Town Hall with the war memorial and steps in front, seen from the approach through the Shentall Gardens

Chesterfield Courthouse

- 3.35 Chesterfield Courthouse was designed as a Magistrates Court in 1963-5 by J.S. Allen in association with Roy Keenleyside. The highly distinctive design has a double fan shaped plan, which responds to the fact that it can be seen from all sides and above. Part of its three storey form is set into the hillside. The reinforced concrete building has a rhythmic façade of eleven bays that has Classical origins, overhanging upper floors that might have been inspired by jettied Medieval buildings, traditional natural slate wall cladding and a copper roof, yet the contemporary 1960s design is wholly modern in character.
- 3.36 The Courthouse is listed grade II and forms an important part of the civic group on Rose Hill.



Plate 17: Chesterfield Courthouse seen across the Shentall Gardens

Chesterfield Town Centre Conservation Area

- 3.37 Chesterfield Conservation Area was designated in 1976 and extended in 1982. It covers an extensive area, including the whole of the commercial town centre as far as St Mary's Gate in the east and covers the former Royal Hospital site and Cavendish Street to the north (see Figure 7).
- 3.38 Most of the area covered by the designation has no visual or historic relationship with the proposed development site. The main area where there is potential intervisibility and a physical association, is the civic area to the west, incorporating the Town Hall, War Memorial, Courthouse, and Shentall Gardens, which is linked with Queen's Park by the axial route described above.
- 3.39 There are views from both Queen's Park and Queen's Park Annexe back towards the Town Hall, the Market Hall and the crooked spire of St Mary and All Saints Parish Church. Views from these elevated landmarks within the conservation area, back towards the development site, are also possible.



Plate 18: View from Queen's Park Annexe over the bowls green and tennis courts towards Chesterfield Town Hall



Plate 19: View from Queen's Park Annexe over the site of the proposed development, with Chesterfield Town Hall, the Market Hall tower and the crooked spire of St Mary and All Saints Church on the horizon

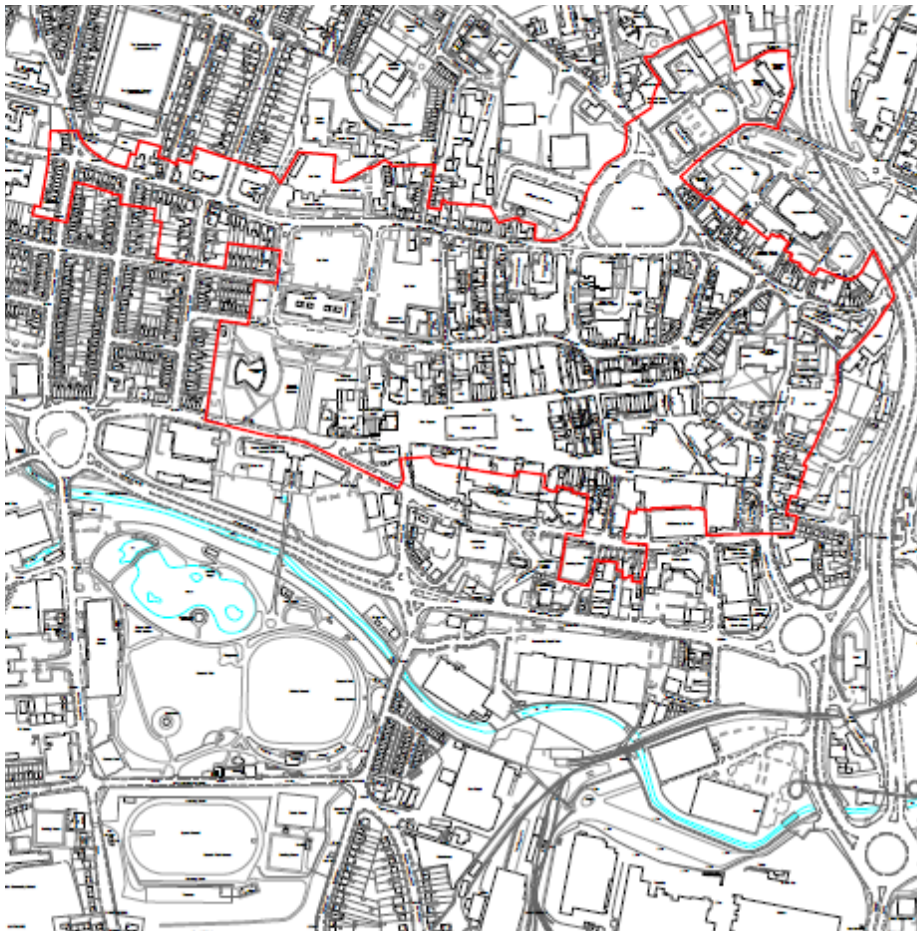


Figure 7: Chesterfield Town Centre Conservation Area boundary

4.0 Significance

The evolution of public parks

- 4.1 Britain was the first country in the world to industrialise and was the first to establish municipal parks. Public parks were a response to the rapid industrialisation of British towns. Prior to their establishment in the nineteenth-century, the only antecedents were private pleasure gardens; botanic and zoological gardens, the Royal Parks in London, and common land, which had varying amount of public access. As the towns expanded, the opportunities for recreation in green surroundings dwindled.
- 4.2 The Public Parks Movement developed in the early years of the nineteenth-century and John Claudius Loudon became influential from 1820s. Public parks were promoted as *ideal landscapes, separated from the realities of their urban surroundings, in which the air was clean and where the spirit could be refreshed by contact with nature and the body improved by exercise* (Conway, 1996). Parks were also seen as opportunities for financial investment, whereby associated housing around the perimeter would have high value.
- 4.3 The 10.5 acre Derby Aboretum of 1840 designed by John Claudius Loudon, is often cited as the first public park, although it was not provided by the local authority and free entry was only allowed at limited times. Following Loudon's death in 1843, Joseph Paxton became the leading park designer. Paxton's 115 acre Birkenhead Park of 1843, with 24 hectares of building plots around the perimeter, was probably the first public park proper, on the basis that it was provided by the local authority and it was fully open to the public at no cost from the outset. Birkenhead Park was a direct influence on Central Park, New York, commenced in 1858 to the design of Frederick Olmstead.
- 4.4 Public parks elsewhere followed quickly. Nine parks were planned around Manchester, only five of which were built. Philips and Queens Parks, designed by Joshua Major, both date from 1846, making Manchester the first of the major industrial cities to acquire public parks. Peel Park in Salford, also by Major, opened at the same time. All three incorporated sports facilities from the outset.
- 4.5 Joseph Paxton went on to design Kelvingrove Park (1854), and Queen's Park (1862) in Glasgow, both developed in conjunction with housing. Paxton's formal design for Crystal Palace Park, Sydenham, near London (1854) accommodated the reconstructed Crystal Palace from the Great Exhibition of 1851. Paxton's People's Park, Halifax of 1857 was on a smaller scale and

included a drinking fountain to encourage temperance. Paxton's pupil's included Edward Milner, John Gibson, and Edward Kemp, each of whom went on to make substantial contributions to the design of public parks.

- 4.6 Sefton Park, Liverpool (1868) by Lewis Hornblower and Eduoard Andre was the first demonstrably French-style design. By the end of 1860s, most large British cities had a park, as did those in France, although Germany lagged behind. Abbey Park, Leicester (1880) was the most notable public park design by William Barron and was significant for the re-introduction of formal axial elements into what had become invariably naturalistic designs.
- 4.7 The twentieth-century began with a park of some distinction in almost every town and city in Britain. Thomas Mawson became the leading figure in park design in the period 1890-1933. His first commission, Hanley Park, Stoke on Trent begun in 1894, incorporated formal layout, with a central axis and a canal. His last work was Stanley Park, Liverpool which included Art Deco style buildings. Few public parks were created after the 1930s.
- 4.8 Set against this background, Queen's Park, Chesterfield is a relatively late example of a public park and one of fairly modest size. However, it was designed by a notable public park designer of the later part of the nineteenth century and a considerable amount of the original layout, planting and park features have survived. Consequently, it has considerable heritage significance as a fine example of a relatively well-preserved late nineteenth-century public park.

William Barron and Son

- 4.9 William Barron (1805-1891) was a gardener, nurseryman and landscape gardener active in the nineteenth century. He was born in Eccles, Berwickshire, Scotland, the son of a gardener. Barron served his apprenticeship at Blackadder in Berwickshire and then entered the Royal Botanic Garden in Edinburgh. In 1830, he was appointed gardener to Charles Stanhope, the fourth Earl of Harrington, at Elvaston Castle in Derbyshire and instructed to create a new garden. He later married Elizabeth Ashby and together they had one child, a son, John (born 8 June 1844).
- 4.10 After the fourth Earl's death in 1851, Barron was instructed by Leicester Stanhope, the fifth Earl of Harrington, to construct a commercial nursery in the garden. In 1852 he published *The British Winter Garden: A Practical Treatise on Evergreens*. At Elvaston Castle, Barron developed techniques for moving mature trees. His garden design at Elvaston became famous when the gardens were opened to the public during the 1850s. On the death of the fifth

Earl in 1862, Barron bought 40 acres for a nursery site in nearby Borrowash, to which he moved in 1865. By 1867 he was joined in partnership by his son John.

- 4.11 The firm William Barron & Son gained its reputation for plant sales, landscape gardening and the transplantation of large trees, and became a leading provider of designs for public parks. As noted above, William Barron's most celebrated public park design was for Abbey Park, Leicester (1880), which is still in existence. His design for Locke Parke Barnsley (1877) was an earlier example of an axial plan type. Other works include Aberdare Park, Glamorgan (opened 1869), which is very well preserved, Bedford Park (1882-8), Brunswick Park, Wednesbury (1886-7), People's Park, Grimsby (1881-83), and West Park, Macclesfield (1854). William Barron also laid out a number of cemeteries and other green spaces.
- 4.12 William Barron's design for Queen's Park, Chesterfield was produced at the end of his illustrious career and he died in April 1891 aged 85, shortly after the plans were submitted. Completion of the project was supervised by his son. The similar design for Victoria Park, Tipton, West Midlands (1898-1901) was produced by the firm of Barron and Son after his death.
- 4.13 Queen's Park, Chesterfield has a high degree of heritage significance as an important and relatively well-preserved example of William Barron's work, from the final period of his long career in landscape design.

Design quality

- 4.14 A fundamental aspect of the significance of Queen's Park stems from the high quality of the design of the park and the attractiveness of the now mature parkland landscape that was created. The sub-division of the site into three principal compartments, created three inter-linked zones of an ideal size to be both spacious and intimate, and used the natural slope of the site to great advantage. Views from the open areas to the iconic crooked spire of the parish church and the tower of the Market Hall provided a visual link with the town.
- 4.15 In the later part of the nineteenth-century there was an increased demand to incorporate sports facilities in public parks. The way in which William Barron integrated the cricket field and cycle track into the design of Queen's Park whilst achieving a very high aesthetic quality for the park is of particular note.
- 4.16 The review of the evolution of public parks above shows that many such parks were planned to have high quality housing around the perimeter. Queen's Park

had an extensive area of railways to the north, working class housing to the east, and at the outset, a small colliery to the west. It nevertheless succeeded in creating an essentially inward looking pastoral oasis.

- 4.17 The park has been subject to ongoing change since its opening. Additions such as the gateway to Boythorpe Avenue, the bandstand, and the conservatory were added in the twentieth-century inter-war period. All three features are now individually listed buildings, and have clearly enhanced the heritage significance of the park.
- 4.18 However, the construction of the indoor swimming pool in the 1960s introduced an alien bulk into the park environment. The attempt in the 1980s, to mitigate the harm by disguising the building as a Paxton glasshouse was accompanied by further bulky additions and walled parking areas, the overall effect of which has been to intrude into and degrade the quality of the western margin of the park and views of the park from Boythorpe Road. Consequently, these changes detract from the heritage significance of the park.

The contribution of setting to significance

- 4.19 Unlike many historic public parks, which were designed to integrate with surrounding development, Queen's Park was always essentially an inward looking park, and was isolated from the town at the time of its inception. Park Road to the east and Boythorpe Avenue to the south did not exist when the park was conceived. Much of the park was surrounded by a high, solid wall from the outset, with a railway on an embankment on the northern side, separating it from the town. The surroundings to the east and west never had a close relationship with the park, other than from the entrance points. The western side where there was an existing road from the outset, was a little more permeable with railings rather than solid walling but, as discussed, this side of the park has been substantially altered and debased.
- 4.20 There do not appear to have been any intentional designed views into the park from west or east, other than from the entrance points. However, Barron's design facilitated views of the crooked spire of St Mary and All Saints church and the tower of the market hall from the main open areas within the park, which gave a visual link with the town and added to the attractiveness of the park.
- 4.21 When Queen's Park was conceived, the higher open fields to the south similarly had no formal relationship with the Queen's Park and an unbroken solid wall along the southern margin ensured that the park turned its back on this area. However, the acquisition of the land to commemorate Queen

Victoria's death in 1901 and the subsequent laying out of the Queen's Park Annexe resulted in this area being inextricably linked with Queen's Park, both functionally and historically. The Annexe is a more utilitarian recreational area for formal sports, which does not have the aesthetic qualities of Queen's Park and there is only minimal intervisibility between the two. Nevertheless, the Annexe contributes to the heritage significance of Queen's Park due to its related history. Additionally, the Annexe has helped Queen's Park to maintain high aesthetic qualities by accommodating the more utilitarian park activities in an unobtrusive and convenient manner. Most critically, the Annexe contributes to the significance, character, and visual quality of Queen's Park by providing a verdant backdrop to the south side of the park. In southwards views from the open areas within Queen's Park, trees within the park merge with the trees on the bank on the south side of Boythorpe Avenue to provide a natural wooded surround on raised land to the south side of the park.

- 4.22 The relationship with Chesterfield Town Hall, built some forty-five years after the opening of Queen's Park, could not have been envisaged by William Barron when he designed the park. Nor would he have known that a railway station and a large area of sidings would be developed to the north of the park soon after its opening, and that this would be replaced by a 1960's high-rise office development, which in turn would be demolished and replaced with another office development. Nevertheless, the formal Town Hall composition created by A J Hope in the 1930s, which was extended into the park with a bridge entrance in the 1960s, created a grand formal route and urban design relationship between Chesterfield Town Hall and Queen's Park of a high order. This has integrated the Town Hall and its foreground into the setting of Queen's Park and has added to the heritage significance of the park as a heritage asset.



Plate 20: View northwards across the car-park in the north-east corner of the Annexe, towards Queen's Park with 1890s terraced housing on the right-hand side of Park Road



Plate 21: View northwards along Boythorpe Road with the 1960s swimming pool on the right

Statutory designations

- 4.23 The heritage significance of Queen's Park is reflected in its longstanding designation as a conservation area and its more recent registration as a grade II* historic park and garden. The statutory listing of the gateway from Boythorpe Avenue, the bandstand, and the conservatory acknowledge the contribution of these particular features to the heritage significance of the park, notwithstanding the fact that none of them were part of the original design.
- 4.24 The inclusion of the listed Town Hall, War Memorial and Courthouse and the associated route through Shentall Gardens within the western part of the Chesterfield Town Centre Conservation Area, to some extent reflects the contribution the townscape of this part of the setting makes to the heritage significance of Queen's Park.
- 4.25 The exclusion of the Queen's Park Annexe from the designated Queen's Park Conservation Area and the boundary of the registered historic park and garden, reflects the lack of aesthetic quality and visual association of the Annexe with the Park.

5.0 Heritage policies, duties, and guidance

Overview

- 5.1 The proposed sports centre must be considered in the light of both heritage planning policies and statutory duties. Statutory duties relating to proposals affecting listed buildings and conservation areas are contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. The heritage policy context in which the proposals must be assessed includes both national and local policies.
- 5.2 National policies are set out in the National Planning Policy Framework (NPPF or Framework). The local policy context is provided by the policies of the recently adopted Chesterfield Local Plan: Core Strategy (July 2013). A modest number of policies continue to be saved from the former Replacement Chesterfield Borough Local Plan (2006) but none of these are relevant to heritage considerations relating to the current proposal. The Borough Council is currently preparing a Local Plan: Sites and Boundaries document, which will identify potential sites and boundaries for such matters as new housing, etc. This document is at an early stage of production and does not currently contain any heritage considerations relating to the proposed development in question.

Statutory duties

- 5.3 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to *have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*. Consequently, this duty must be taken into account when determining the proposed application for planning permission.
- 5.4 A High Court judgement (*East Northants DC, English Heritage and National Trust v. Secretary of State for Communities and Local Government and Barnwell Manor Wind Energy Ltd* [2013] EWHC 473 (Admin)) has clarified that the section 66 duty and the National Planning Policy Framework tests (outlined below) are different and furthermore that the section 66 duty provides a more demanding test. The judge concluded that the word *desirability* in section 66(1) signals that *preservation* of setting is to be treated as a desired or sought-after objective, to which the decision-maker must accord *special regard*. This goes beyond mere assessment of harm.

- 5.5 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in the exercise of planning functions, *with respect to any buildings or other land in a conservation area ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 5.6 The House of Lords clarified, in the case of *South Lakeland District Council v Secretary of State for the Environment and another* [1992] 1 ALL ER 573, that *the statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say, preserved.* In effect, this means that neutral development proposals satisfy the statutory duty.

National Planning Policy Framework and related guidance

- 5.7 The NPPF published on 27 March 2012, replaced all of the Government's previous Planning Policy Statements. Section 12 (paragraphs 126-141) of the Framework sets out policies relating to the conservation of the historic environment.
- 5.8 The policies in section 12 of the Framework refer to the concept of a *heritage asset*, which is defined as *a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)* (Annex 2: Glossary).
- 5.9 The policies in section 12 of the Framework place an emphasis on *significance*, which is defined as *the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting* (Annex 2: Glossary).
- 5.10 A number of the policies set out in the Framework are of direct relevance to the consideration of the current proposal to a sports centre at the Queen's Park Annexe. Paragraph 126 states that *local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.*

5.11 The Framework reinforces this approach in paragraph 131, which states that, *in determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

5.12 Paragraph 128 of the Framework states that *in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.* This document aims to satisfy this requirement.

5.13 NPPF Paragraph 132 states that in considering the impact of a proposed development on the significance of a designated heritage asset, *great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.* Paragraph 132 clarifies that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. It goes on to state that *substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, should be wholly exceptional.*

5.14 Paragraph 134 states that in cases where there is less than substantial harm to the significance of a designated heritage asset, *this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

- 5.15 Paragraph 137 is of particular relevance to the Queen's Park and Chesterfield Town Centre Conservation Areas. It states that *local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.*
- 5.16 The publication of PPS5 in March 2010 was accompanied by the joint Government/English Heritage publication *Historic Environment Planning Practice Guide*. Notwithstanding the replacement of PPS5 by the policies in the NPPF, the companion guide to PPS5 remains extant. The Practice Guide provides guidance on the process of assessing the implications of change affecting setting, the starting point of which is understanding the significance of the heritage asset affected and the contribution made by its setting (paragraph 119).
- 5.17 Paragraph 34 of the Practice Guide states, *the Government's strategy for improving quality of place, World Class Places, CLG (2009), recognises the essential role of the historic environment in providing character and a sense of identity to an area. Heritage assets can inform and inspire place-making. Recognising how the design, materials and pattern of land use of the built environment provide character and definition to a locality can enable local planning authorities to better understand the appropriateness of proposed development.*
- 5.18 A key point made in the Practice Guide is that *a proper assessment of the impact on setting will take into account, and be proportionate to, the significance of the asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it* (paragraph 122).
- 5.19 The Practice Guide makes the point that *the historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials* (para 121).
- 5.20 The Framework defines the setting of a heritage asset as *the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral* (Annex 2: Glossary).

- 5.21 English Heritage published *Guidance on the Setting of Heritage Assets* in October 2011. In section 4 (Setting and Development Management), this guidance provides a framework for the assessment of proposed changes to the setting of a heritage asset. The advice is consistent with the advice in the PPS5 Practice Guide. The English Heritage *Guidance on the Setting of Heritage Assets* provides a detailed understanding of the concept of *setting* which is considered below.
- 5.22 In order to assess the degree of potential harm to the significance of a heritage asset, the guidance advises that the following five steps be followed:
- Step 1: *identify which heritage assets and their settings are affected;*
 - Step 2: *assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);*
 - Step 3: *assess the effects of the proposed development, whether beneficial or harmful, on that significance;*
 - Step 4: *explore the way in which enhancement might be maximised or harm might be avoided or minimised; and*
 - Step 5: *make and document the decision and monitor outcomes.*
- 5.23 The joint Government/English Heritage *Historic Environment Planning Practice Guide* (March 2010), adds categorically that *setting will generally be more extensive than curtilage* (paragraph 115). The Practice Guide also states that *the setting of a heritage asset can enhance its significance whether or not it was designed to do so* (paragraph 116) and that *the contribution that setting makes to the significance does not depend on there being public rights nor an ability to access or experience that setting* (paragraph 117). The Practice Guide advises that, whilst factors such as noise, traffic activity and historic relationships need to be considered when assessing the implications of change affecting setting, assessment is *most likely to address the addition or removal of a visual intrusion* (paragraph 119).
- 5.24 The English Heritage *Setting* guidance reinforces the definition of setting in the Framework, stating *setting embraces all of the surroundings (land, sea, structures, features and skyline) from which the heritage asset can be experienced or that can be experienced from or with the asset. Setting does not have a fixed boundary and cannot be definitively and permanently described as a spatially bounded area or as lying within a set distance of a heritage asset. Views on what comprises a heritage asset's setting may change as the asset and its surroundings evolve, or as the asset becomes better understood. Construction of a distant but high building; development generating noise, odour, vibration or dust over a wide area; or new understanding of the relationship between neighbouring heritage assets may*

all extend what might previously have been understood to comprise setting (Section 2.2, page 4).

- 5.25 The English Heritage guidance recognises that extensive heritage assets, such as landscapes and townscapes *can include many heritage assets and their nested and overlapping settings, as well as having a setting of their own. Entire towns also have a setting which, in a few cases, has been explicitly recognised in green belt designations. A conservation area that includes the settings of a number of listed buildings, for example, will also have its own setting, as will the town in which it is situated. The numbers and proximity of heritage assets in urban areas means that setting is intimately linked to considerations of townscape and urban design (Section 2.2, page 5).*
- 5.26 The English Heritage guidance makes it clear that the setting of any heritage asset is likely to *include a variety of views of, across, or including that asset, and views of the surroundings from or through the asset. A long-distance view may intersect with, and incorporate the settings of numerous heritage assets. Views from within extensive heritage assets can also be important contributors to significance: for example, views from the centre of an historic town, through the townscape to its surrounding countryside, or from an historic house, through its designed landscape to the countryside beyond (Section 2.3, page 6).*

Local heritage policy context

- 5.27 The local heritage policy context is contained in the Chesterfield Borough Local Plan: Core Strategy (adopted July 2013).
- 5.28 Local Plan: Core Strategy policy CS19: Historic Environment states:

The council will protect the historic environment and heritage assets throughout the borough and seek to enhance them wherever possible. All new development must preserve or enhance the local character and distinctiveness of the area in which it would be situated.

The council will do this through:

- a) a presumption against development that would unacceptably detract from views of St Mary's Church (The Crooked Spire) by virtue of its height, location, bulk or design;*
- b) the protection of Designated Heritage Assets and their settings including Conservation Areas, Listed Buildings, Scheduled Monuments and Registered Parks and Gardens;*

c) the use of Conservation Area Appraisals and associated Management Plans to ensure the preservation or enhancement of the individual character of each of the borough's conservation areas;

d) the identification and, where appropriate, protection of important archaeological sites and historic environment features;

e) the identification and, where appropriate, protection of non-designated heritage assets of local significance, compiled and referred to as The Local List;

f) Enhancing the character and setting of Queens Park, Chesterfield Market Place, the Hipper River Valley, Chesterfield Canal and locally important Historic Parks and Gardens.

- 5.29 It has been determined in the High Court in the *Batsworthy Cross* case (*Anita Colman v. Secretary of State for Communities and Local Government, North Devon District Council and RWE NPower Renewables LTD [2013] EWHC 1138 (Admin)*), that policies which *leave no room to accommodate harm without breaching the policy*, are out-of-date as the NPPF takes a more balanced approach.
- 5.30 Paragraph 14 of the NPPF states *where the development plan is absent, silent or relevant policies are out-of-date*, planning permission should be granted (subject to certain provisos).

6.0 Heritage impact

Visualisations

- 6.1 In order to assist assessment of the visual impact of the proposed sports centre, four verified visualisations have been prepared by a specialist producer, AVR London. These images, which show the outline of the proposed building in red superimposed onto a photograph, are included at Appendix A. A plan showing the four viewpoints is included at Appendix B and a copy of AVR London's methodology, which confirms that these are reliable and accurate visualisations, is attached at Appendix C.

Queen's Park

The impact of the proposed development

- 6.2 The proposed development would cause no direct physical impact, alteration, or harm to Queen's Park.
- 6.3 The proposed building is of substantial scale and will be sited at an elevated level in the Annexe, a short distance to the south of the park. It therefore has the potential to appear as a large, inappropriate, intrusive feature on the skyline in southerly views from within the park. Such views at present are enclosed by a broad sweep of trees that forms the visual edge of the park and the skyline. The sweep of trees is made up of a staggered row of trees within the park, with a deeper belt of trees on the bank on the south side of Boythorpe Avenue along the edge of the Annexe (see Plates 22 and 23). The trees both within the park and on the bank are predominantly deciduous and are mostly mature. The verdant, sylvan setting on the south side of Queen's Park clearly makes an important contribution to the significance and quality of the park as a heritage asset.
- 6.4 The key views in the southerly direction from within the park are across the two open areas defined by the original figure-of-eight footpath (i.e. the cricket pitch and the informal amenity area). Three of the verified visualisations referred to above, illustrate the scale and position of the proposed building in relation to the tree screen, when viewed from these key positions. These are Visualisation 01, which shows a key view across the open amenity area towards the proposal in which the bandstand is a feature; Visualisation 02, which is a key view across the cricket pitch towards the proposal in which the cricket pavilion, conservatory and South Lodge all feature; and Visualisation

03, which is a more acute view across the cricket pitch in which the proposal would be beyond the cricket pavilion and conservatory. The photographs were taken in mid-November, although a number of trees were still partly in leaf.

- 6.5 The visualisations show that the proposed building is considerably lower than the level of the tree screen in these key views. As a result, the proposed sports centre will be wholly screened from views from within Queens Park when the trees are in leaf. The proposed building will be substantially screened during the winter months, but its bulk and mass will be partly visible, when the trees have shed their leaves, through the filter of the trees.
- 6.6 These glimpses of a large volume building are inappropriate in this context. Consequently, there would be a modest adverse visual impact and therefore some harm to Queen's Park as a heritage asset, during the winter months. However, there would be no material impact or harm during the summer months when the trees are in leaf.
- 6.7 This modest degree of harm could be mitigated by planting further trees and shrubs with a significant proportion of evergreens, within Queen's Park Annexe to the immediate south of the existing trees on the bank. Such planting would provide an all-year-round visual screen and would provide a long-term safeguard, given that many of the existing trees both within Queen's Park and on the bank, are nearing maturity.



Plate 22: Trees within the park, along the southern edge



Plate 23: Trees on the bank on the south side of Boythorpe Avenue

The impact of redundancy of the existing sports centre building

- 6.8 The future of the existing Sports Centre within Queen's Park is to be considered as a separate matter to the current proposed development. However, the new sports centre will render the existing building redundant in due course, and the implications of this for Queen's Park as a heritage asset need to be considered as part of this Heritage Impact Assessment.
- 6.9 The foregoing analysis notes that the existing building provides a well-defined edge to the west side of the park with an interesting central glazed feature that addresses the park (see Plate 24). However, the over-riding conclusion is that the building is an over-large and inappropriate bulk, which is intrusive in this high quality parkland environment. Furthermore, the disjointed Boythorpe Road façade of the sports centre, together with the associated surface-parking areas, provides a poor external edge to the park (see Plates 25 and 26). The changes on the west side of the park since the 1960s have also left the original main entrance to the park as a redundant and isolated relic (see Plate 26).
- 6.10 The Borough Council could seek a new use for the sports centre building or could demolish the structure and consider proposals for its site. A re-use that did not involve external alteration would maintain the status quo and would

therefore be neutral in terms of heritage impact. However, it would miss an opportunity to enhance the park.

- 6.11 Removal of the existing sports centre building would leave an open side to the park and would reveal the fragmented and poor quality street-scene provided by the west side of Boythorpe Road (see Plate 27). William Barron's original design for the park provided a wide belt of tree and shrub planting along the Boythorpe Road margin, enclosing the western open amenity area. Such enclosure is essential to the structural design of the park. Consequently, removal of the existing building to leave an open area would result in an adverse and harmful impact on the park, as a heritage asset. Conversely, removal of the building and reinstatement of appropriate tree and shrub planting to enclose the western side of the park would be a positive and beneficial impact in heritage terms.
- 6.12 The enlargement of the existing sports centre in the 1980s necessitated re-alignment and deformation of the western side of the original figure-of-eight park footpath. Reinstatement of the original, more elegant, alignment would be a further positive impact, as would removal of the brick wall that surrounds the parking area to the south of the sports centre.
- 6.13 Replacement of the existing large-scale building with some appropriately designed small-scale buildings, akin to the scale of park buildings such as the lodges and cricket pavilion, could provide a positive outcome in heritage terms, subject to appropriate design and landscaping. Such buildings would have to address the park and provide a suitable edge to Boythorpe Road in order to make a positive impact. Even a reduction in the size of the existing sports centre, perhaps involving removal of the original swimming pool as the most unsightly component, could result in a positive impact.
- 6.14 The maximum potential enhancement of the park and positive impact, in the terms of the NPPF (paragraph 137), to *better reveal the significance of the asset*, would require the comprehensive re-planning of the western margin of the park. This would embrace the area covered by the existing sports centre, the parking areas to the north and south, and the redundant original entrance gateway to the park. Reinstatement of a formal entrance into the park from the west side, through the original gateway, even if this involved relocation, would be a desirable and positive outcome. This might be combined with one or more controlled attractive views into the park, which might have the added benefit of improving passive surveillance. A suitably designed scheme would make a very positive impact on the character and appearance of the Queen's Park Conservation Area and its significance as a heritage asset.



Plate 24: The east-facing park façade of the sports centre



Plate 25: The west-facing Boythorpe Road façade of the sports centre



Plate 26: The original main entrance to the park from Boythorpe Road and an adjacent parking area



Plate 27: Buildings on the west side of Boythorpe Road

Gates, piers and railings at entrance to Queen's Park, the Bandstand and the Conservatory at Queen's Park

- 6.15 The Bandstand and conservatory are visual features in the wider views from within the park. Consequently, there would be a similar minor adverse impact and modest degree of harm as described above in relation to Queen's Park. The visual impact would be a little less for the conservatory, as its immediate setting has been degraded by the modern brick buildings built to the immediate south-east. The bandstand, however, has no inappropriate intrusions within its highly attractive, naturalistic parkland setting.
- 6.16 The gates, piers and railings that form the southern park entrance from Boythorpe Avenue do not feature in wider views from within the park and are only appreciated from relatively close quarters. The impressive gateway is designed to address and be seen to best advantage from Boythorpe Avenue. Whilst the reverse side of the gateway can be seen from within the park, the viewpoints are from such close positions that the proposed building would not be seen in juxtaposition. Consequently, the proposed development would cause no adverse impact, intrusion into the setting, or harm to the significance of the gateway.

Chesterfield Town Hall, together with the War Memorial and steps in front of Chesterfield Town Hall and Chesterfield Courthouse

- 6.17 The relationship between Queen's Park and the Town Hall group is defined by the north and south views along a clearly defined axis. Views northwards from the park would not be affected. The fine view from Queen's Park Annexe, over Queen's Park towards the Town Hall (see Plate 18), would be unaffected by the proposed development, which will be positioned to the west of the viewpoint, screened by a tree belt containing a high proportion of conifers.
- 6.18 The glimpse view of the Town Hall from the higher land to the south of Queens Park Annexe (see Plate 19) would have the proposed building in the foreground. Queen's Park is not apparent in this incidental view, which does not relate to or reveal the formal, axial composition. Whilst the proposal would intrude into what is an attractive view, this does not have an impact on the significance of the heritage assets in question.
- 6.19 The view from the Town Hall towards Queen's Park is modelled in Visualisation 05. This shows that from the Town Hall steps, the proposed sports centre would be almost wholly obscured by the Future Walk building. Furthermore, the land continues to rise beyond (i.e. to the south of) Queen's Park Annexe, ensuring that there would be no unfortunate intrusion on the horizon.

- 6.20 Consequently, the proposed sports centre would result in no material adverse impact, intrusion into the setting, or harm to the significance of the Town Hall group of listed buildings. Nor would there be any degradation of the axial relationship between the Town Hall group and Queen's Park.

Chesterfield Town Centre Conservation Area

- 6.21 The impact on the character and appearance of the Town Centre Conservation Area is effectively that described above for the Town Hall group of listed buildings.
- 6.22 The proposal would cause no material harm to views of the landmark buildings within the Town Centre Conservation Area, i.e. the Town Hall, the tower of the Market Hall and the crooked spire of St Mary and All Angels church.

7.0 Conclusions

- 7.1 This Heritage Impact Assessment has identified the significance of heritage assets that might be affected by the proposed sports centre at the Queen's Park Annexe; has sets out key heritage planning considerations; and has assessed the likely impact of the proposal on the significance, character, and special interest of the identified heritage assets, in the light of those considerations.
- 7.2 The Heritage Impact Assessment has considered the proposed sports centre in the light of the Government's National Planning Policy Framework. The assessment satisfies the requirement of paragraph 128 of the NPPF to understand the significance of heritage assets affected by the proposal. The understanding of the setting of the listed buildings, conservation area, and registered parkland is consistent with the English Heritage published guidance on the *Setting of Heritage Assets* and the joint Government/English Heritage guidance relating to understanding the contribution to the significance of heritage assets made by setting, contained in the *Historic Environment Practice Guide*.
- 7.3 Under the terms of paragraphs 132-134 of the NPPF, the Heritage Impact Assessment concludes that there would be a modest degree of harm to the significance of the grade II* registered Queen's Park and the grade II listed bandstand and conservatory within the park. This harm results from the partial visibility of the proposed building, which would appear through the tree screen in the winter months, as a bulky inappropriate mass at higher level above the park and listed buildings in question. Such harm could be mitigated relatively easily by additional tree and shrub planting with an appropriate proportion of evergreens, within the Annexe alongside the existing tree belt. Furthermore, it should be noted that policy 134 of the NPPF requires any less than substantial harm to the significance of a heritage asset to be weighed against the public benefits of the proposal. The substantial wider public benefits of the proposed sports centre are set out elsewhere in the planning application documentation.
- 7.4 The Heritage Impact Assessment concludes that there would be negligible harm to the gateway to Queen's Park as an individual heritage asset, which is only appreciated from close quarters. Similarly, the assessment concludes that there would be negligible harm to the Town Hall/War Memorial/Courthouse group of heritage assets on Rose Hill. Key views towards the latter group would be unaffected, whilst the proposed sports centre would only make an extremely minor intrusion into the vista outwards from the Town Hall towards Queen's Park. The latter view has been seriously compromised by the relatively recent

Future Walk development, which would largely screen the proposed sports centre.

- 7.5 The Heritage Impact Assessment notes that the future of the existing sports centre within Queen's Park is unresolved. Retention and appropriate re-use of the building would maintain the status quo, in terms of impact on the significance of the park. Partial or complete removal of the building and appropriate re-planning of the western margin of Queen's Park would have the potential to restore and enhance this degraded part of the park, which would enhance and better reveal the significance of Queen's Park as a heritage asset, within the terms of paragraph 137 of the NPPF. Such restoration would have to include reinstatement of lost perimeter planting around the western margin of the park, the original alignment of the figure-of-eight footpath, and reintegration of the western gateway into the park.
- 7.6 The Heritage Impact Assessment considers the statutory duty to have regard to the desirability of preserving the setting of a listed building and, in accordance with the rationale advanced above, concludes that the proposals would not entirely preserve the setting of the grade II listed bandstand and conservatory within Queen's Park but that this could be resolved easily by the additional planting suggested above.
- 7.7 The Heritage Impact Assessment concludes that the proposed sports centre would preserve the setting of the grade II listed gateway to Queen's Park and the setting of the Town Hall/War Memorial/Courthouse group of grade II listed buildings on Rose Hill.
- 7.8 The Heritage Impact Assessment considers the statutory duty to have regard to pay special attention to the desirability of preserving or enhancing the character or appearance of the Queen's Park Conservation Area and the Chesterfield Town Centre Conservation Area. In accordance with the rationale advanced above with regard to Queen's Park as a heritage asset, the assessment concludes that the proposal would not preserve or enhance the character or appearance of the Queen's Park Conservation Area by virtue of the visual intrusion in winter but this could be easily overcome by additional planting. The assessment concludes that the proposal would preserve the character and appearance of the Chesterfield Town Centre Conservation Area for the reasons advanced with regard to the Town Hall/War Memorial/Courthouse group of grade II listed buildings.
- 7.9 With regard to local planning policy, the Heritage Impact Assessment concludes that the proposals are not wholly in line with Local Plan: Core Strategy Policy CS19 relating to the historic environment, as the proposal

would not entirely preserve the distinctiveness of the planted surrounds to the south of Queen's Park and would not, in itself, enhance the setting of Queen's Park, as required by proviso (f) of the policy. However, consequential re-planning of the western margin of Queen's Park in an appropriate manner, has the potential to considerably enhance this side of the park.

- 7.10 With regard to proviso (a) of Policy CS19, notwithstanding some intrusion into the view from the bank on the south side of Queen's Park Annexe, the proposed sports centre would not unacceptably detract from views of St Mary's Church (the crooked spire). The designed views of the crooked spire from within Queen's Park would be unaffected.
- 7.11 As the provisions of Local Plan: Core Strategy Policy CS19 leave no room to accommodate adverse change to setting, the policy is out-of-date in the light of the Batsworthy Cross ruling, and the policies of the NPPF which allow for such harm to be weighed against wider public benefits, should prevail.

Summary

- 7.12 The proposal would cause a modest degree of harm to the significance of Queen's Park as a heritage asset and would not entirely preserve the setting of the bandstand and conservatory listed buildings, or the character and appearance of the Queen's Park Conservation Area, by virtue of minor visual intrusion in the winter months. However, these adverse impacts could be overcome with relative ease by the introduction of appropriate landscaping to reinforce the existing tree belt along the northern side of the Queen's Park Annexe, to ensure an all-year-round screen.
- 7.13 The modest degree of harm to the significance of heritage assets identified is, in any event, likely to be outweighed by the wider public benefits of the proposal.
- 7.14 If the proposal development leads to the removal of the existing sports centre from Queen's Park and the appropriate re-planning of the western margin of the park with reinstatement of perimeter planting and the original line of the figure-of-eight footpath, together with reintegration of the original western entrance gateway, the proposal would result in an enhancement of the park that would better reveal its significance as a heritage asset.

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Appendix A: Visualisations of the proposal



Viewpoint 01: Existing



Viewpoint 01: Outline of proposed building



Viewpoint 03: Existing



Viewpoint 03: Outline of proposed building



Viewpoint 05: Existing



Viewpoint 05: Outline of proposed building



Viewpoint 07: Existing



Viewpoint 07: Outline of proposed building

Appendix C: Visualisation methodology

AVR METHODOLOGY

AVR London were commissioned in November 2013 to produce a number of verified images of the proposal known as Queen's Park, Chesterfield. The positions were chosen from information sent over from the design and consultation team.

2D plans, Ordnance Survey Mapping, and a 3D model were provided by Design Cubed Architects, these were used by AVR London to verify the proposal from the selected viewing positions.

Surveying

Control stations were established at each camera position and easily and clearly identifiable static points within the view were identified by the chartered land surveyor on site and marked as an overlay on the photograph from that position.

The survey control stations are resected from the OS base mapping and wherever possible, linked together to form a survey network. This means that survey information is accurate to tolerances quoted by GPS survey methods in plan and commensurate with this in level.

Horizontal and vertical angle observations from the control stations allow the previously identified points within the view to be surveyed using line of sight surveying and the accurate coordination of these points determined using an intersection program. These points are then related back to the Ordnance Survey grid and provided in a spreadsheet format.

The required horizon line within the image is established using the horizontal collimation of the theodolite (set to 1.60m above the ground) to identify 3 or 4 features that fall along the horizon line.

Surveying equipment used:

- Wild/Leica TC1000 electronic theodolite which has 3" angle measuring accuracy and 3mm + 2ppm distance measuring accuracy.
- Wild/Leica NAK2 automatic level which a standard deviation of +/- 0.7mm/km

Photography

Each scene was photographed using a plumb line over a survey pin to accurately position the view location. The centre of the camera lens was positioned at a height of 1.60 metres above the ground to simulate average viewing height. Each view was taken with a lens that gave approximately a 68 degree field of view, either in landscape or portrait format, a standard which has emerged for verified

architectural photography. The nature of digital photography means that a record of the time and date of each photograph is embedded within the file; this metadata allows accurate lighting timings to be recreated within the computer model.

In professional architectural photography, having the camera horizontal is desirable in order to prevent any 3-point perspective being introduced to the image and ensure the verticals within the photographed scene remain parallel. Within architectural photography this is standard practice and more realistically reflects the viewing experience. The camera used by the photographer has the ability to shift the digital capture chip with respect to the centre of the camera lens, allowing for the horizon in the image to be above, below or centrally within the image whilst maintaining the parallel nature of verticals previously mentioned.

Using the surveyed horizon points as a guide, each photograph is checked and related, if necessary, in proprietary digital image manipulation software to ensure that the horizon line on the photograph is level and coincident with the information received from the surveyor.

Accurate Visual Representation Production Process

The 3D computer model was supplied aligned on the Ordnance Survey coordinate grid system and approved by the architects with levels being cross checked to Ordnance Survey heights.

Within the 3D software a virtual camera was set up using the coordinates provided by the surveyor along with the previously identified points within the scene. The virtual camera was verified by matching the contextual surveyed points with matching points within the overlaid photograph. As all the surveyed points, virtual camera and 3D model all relate to the same 3-Dimensional coordinate system then there is only one position, viewing direction and field of view where all these points coincide with the actual photograph from site. The virtual camera is now verified against the site photograph.

The proprietary 3D modeling software then uses the verified virtual camera and 3D digital model to produce a computer generated render of the proposed building. The proposal was masked where it would be obscured behind built form or vegetation.

Using the surveyed information and verification process described above, the scale and position of a proposal with a scene can be objectively calculated.

Point	Eastings	Northings	Level
1	4379377.80	370684.03	83.57
2	437967.78	370685.18	83.80
3	437967.80	370686.19	84.23
4	437964.12	370687.48	86.67
5	437958.03	370687.67	83.12
6	437947.71	370685.65	81.05
7	437937.91	370687.23	85.66
8	437932.98	370705.03	82.66
9	437927.06	370706.25	82.67
10	437866.88	370684.46	84.47
11	437869.70	370718.07	83.17
12	437889.73	370726.55	80.72
13	437893.35	370749.02	82.32
14	437893.56	370759.95	82.20
15	437893.63	370756.10	100.05
16	437749.08	370767.05	81.12

